

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

DANNY ANKROM and ANNE ANKROM,

Plaintiffs,

v.

VOLKSWAGEN GROUP OF AMERICA,
INC., a New Jersey corporation,

Defendant.

Case No. 16CV01087

**STIPULATED ORDER CONSOLIDATING
RELATED ACTIONS AND APPOINTING
LEAD PLAINTIFFS**

Honorable Stephen K. Bushong

NATHANIEL AYLOR,

Plaintiff,

v.

VOLKSWAGEN GROUP OF AMERICA,
INC., a New Jersey corporation,

Defendant.

Case No. 16CV01094

DAVID CHURCHLEY and CANDACE
CHURCHLEY,

Plaintiffs,

v.

VOLKSWAGEN GROUP OF AMERICA,
INC., a New Jersey corporation,

Defendant.

Case No. 16CV01097

(CONTINUED TO NEXT PAGE)

1 SURETTA GELLER and RICHARD
2 EICHEN,

3 Plaintiffs,

4 v.

5 VOLKSWAGEN GROUP OF AMERICA,
6 INC., a New Jersey corporation,

7 Defendant.

Case No. 15CV34927

8 DANIEL HEBROD,

9 Plaintiff,

10 v.

11 VOLKSWAGEN GROUP OF AMERICA,
12 INC., a New Jersey corporation,

13 Defendant.

Case No. 16CV00058

14 PATRICK HOBIZAL and JULIE HOBIZAL,

15 Plaintiffs,

16 v.

17 VOLKSWAGEN GROUP OF AMERICA,
18 INC., a New Jersey corporation,

19 Defendant.

Case No. 16CV01098

20 BETSY HUMES,

21 Plaintiff,

22 v.

23 VOLKSWAGEN GROUP OF AMERICA,
24 INC., a New Jersey corporation,

25 Defendant.

Case No. 16CV00059

26 (CONTINUED TO NEXT PAGE)

1 ROBERT KELLER and CYNTHIA
2 MOHIUDDIN,

3 Plaintiffs,

4 v.

5 VOLKSWAGEN GROUP OF AMERICA,
6 INC., a New Jersey corporation,

7 Defendant.

Case No. 16CV00060

8 DANIEL LEE and KATIE LEE,

9 Plaintiffs,

10 v.

11 VOLKSWAGEN GROUP OF AMERICA,
12 INC., a New Jersey corporation,

13 Defendant.

Case No. 16CV01099

14 DEANNA SHIMSHAK,

15 Plaintiff,

16 v.

17 VOLKSWAGEN GROUP OF AMERICA,
18 INC., a New Jersey corporation,

19 Defendant.

Case No. 16CV00062

20 MITCH RIPKE,

21 Plaintiff,

22 v.

23 VOLKSWAGEN GROUP OF AMERICA,
24 INC., a New Jersey corporation,

25 Defendant.

Case No. 16CV00061

26 (CONTINUED TO NEXT PAGE)

1 MICHAEL WROTEN,

2 Plaintiff,

3 v.

4 VOLKSWAGEN GROUP OF AMERICA,
5 INC., a New Jersey corporation,

6 Defendant.

Case No. 16CV01100

7 ERIC BEARD,

8 Plaintiff,

9 v.

10 VOLKSWAGEN GROUP OF AMERICA,
11 INC., a New Jersey corporation,

12 Defendant.

Case No. 16CV03312

13 MARY SMITH and LUKE YOUNG,

14 Plaintiff,

15 v.

16 VOLKSWAGEN GROUP OF AMERICA,
17 INC., a New Jersey corporation,

18 Defendant.

Case No. 16CV03317

19 DAVID RABBINO,

20 Plaintiff,

21 v.

22 VOLKSWAGEN GROUP OF AMERICA,
23 INC., a New Jersey corporation,

24 Defendant.

Case No. 16CV03316

25 (CONTINUED TO NEXT PAGE)

1 JAMES and JANICE PELROY,

2 Plaintiff,

3 v.

4 VOLKSWAGEN GROUP OF AMERICA,
5 INC., a New Jersey corporation,

6 Defendant.

Case No. 16CV03315

7 JOHN JERMAN,

8 Plaintiff,

9 v.

10 VOLKSWAGEN GROUP OF AMERICA,
11 INC., a New Jersey corporation,

12 Defendant.

Case No. 16CV03313

13 SHERILL JERMAN,

14 Plaintiff,

15 v.

16 VOLKSWAGEN GROUP OF AMERICA,
17 INC., a New Jersey corporation,

18 Defendant.

Case No. 16CV03314

19 GUY AUKER,

20 Plaintiff,

21 v.

22 VOLKSWAGEN GROUP OF AMERICA,
23 INC., a New Jersey corporation,

24 Defendant.

Case No. 16CV03311

25 WHEREAS, on September 18, 2015, and November 2, 2015, the Environmental
26 Protection Agency ("EPA") issued Notices of Violation Concerning the installation of alleged

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1 emissions testing “defeat devices” in certain Volkswagen and Audi 2.0 and 3.0 liter turbo diesel
2 vehicles.

3 WHEREAS, since the issuances of the Notices of Violation, multiple plaintiffs have filed
4 the following actions in this Court against Volkswagen Group of America, Inc. (“VWGoA”):
5 *Danny Ankrom v. VWGoA*, No. 16CV01087 (filed Jan. 15, 2016); *Nathanial Aylor v. VWGoA*,
6 No. 16CV01094 (filed Jan. 15, 2016); *David Churchley and Candace Churchley v. VWGoA*, No.
7 16CV01097 (filed Jan. 15, 2016); *Suretta Geller and Richard Eichen v. VWGoA*, No.
8 15CV34927 (filed Dec. 31, 2015); *Daniel Hebrod v. VWGoA*, No. 16CV00058 (filed Jan. 4,
9 2016); *Patrick Hobizal and Julie Hobizal v. VWGoA*, No. 16CV01098 (filed Jan. 15, 2016);
10 *Betsy Humes v. VWGoA*, No. 16CV00059 (filed Jan. 4, 2016); *Robert Keller and Cynthia*
11 *Mohiuddin v. VWGoA*, No. 16CV00060 (filed Jan. 4, 2016); *Daniel Lee and Katie Lee v.*
12 *VWGoA*, No. 16CV01099 (filed Jan. 15, 2016); *Deanna Shimshak v. VWGoA*, No. 16CV00062
13 (filed Jan. 4, 2016); *Mitch Ripke v. VWGoA*, No. 16CV00061 (filed Jan. 4, 2016); *Michael*
14 *Wroten v. VWGoA*, No. 16CV01100 (filed Jan. 15, 2016); *Eric Beard v. VWGoA*, No.
15 16CV03312 (filed Feb. 4, 2016); *Mary Smith and Luke Young v. VWGoA*, No. 16CV03317 (filed
16 Feb. 4, 2016); *David Rabbino v. VWGoA*, No. 16CV03316 (filed Feb. 4, 2016); *James and*
17 *Janice Pelroy v. VWGoA*, No. 16CV03315 (filed Feb. 4, 2016); *John Jerman v. VWGoA*, No.
18 16CV03313 (filed Feb. 4, 2016); *Sherill Jerman v. VWGoA*, No. 16CV03314 (filed Feb. 4,
19 2016); *Guy Auken v. VWGoA*, No. 16CV03311 (filed Feb. 4, 2016).

20 WHEREAS, the above-captioned actions arise from similar facts, assert similar claims,
21 and involve the same defendant.

22 WHEREAS, consolidation will facilitate and streamline the prosecution of the above-
23 captioned actions, promote judicial economy, and eliminate unnecessary costs and delays;

24 WHEREAS, the parties agree that consolidation of the above-captioned actions is
25 appropriate under Rule 53 of the Oregon Rules of Civil Procedure, which provides that when
26 more than one action involving a common question of law or fact is pending before the court, the

1 court may order all such actions consolidated; and it may make such orders concerning
 2 proceedings therein as may tend to avoid unnecessary costs or delay;

3 WHEREAS, on or about March 1, 2016, Judge Stephen Bushong issued an order
 4 consolidating the cases for purposes of case management and coordinated pretrial proceedings;

5 WHEREAS, all plaintiffs and defendant have agreed to stipulate to the following order;

6 WHEREAS, in light of the above recitals, the stipulations herein, the Court finds good
 7 cause for the consolidation of the above-captioned actions, and for the appointment of Lead
 8 Plaintiffs,

9 The Court HEREBY ORDERS:

10 1. Pursuant to ORCP 53, the following actions are hereby consolidated for
 11 coordinated pre-trial proceedings and case management (collectively, the “consolidated
 12 actions”):

13	ABBREVIATED CASE NAME	CASE NUMBER
14	<i>Danny Ankrom v. VWGoA</i>	16CV01087
15	<i>Nathanial Aylor v. VWGoA</i>	16CV01094
16	<i>David Churchley v. VWGoA</i>	16CV01097
17	<i>Suretta Geller v. VWGoA</i>	15CV34927
18	<i>Daniel Hebrod v. VWGoA</i>	16CV00058
19	<i>Patrick Hobizal v. VWGoA</i>	16CV01098
20	<i>Betsy Humes v. VWGoA</i>	16CV00059
21	<i>Robert Keller v. VWGoA</i>	16CV00060
22	<i>Daniel Lee v. VWGoA</i>	16CV01099
23	<i>Deanna Shimshak v. VWGoA</i>	16CV00062
24	<i>Mitch Ripke v. VWGoA</i>	16CV00061
25	<i>Michael Wroten v. VWGoA</i>	16CV01100
26	<i>Eric Beard v. VWGoA</i>	16CV03312

1	<i>Mary Smith v. VWGoA</i>	16CV03317
2	<i>David Rabbino v. VWGoA</i>	16CV03316
3	<i>James Pelroy v. VWGoA</i>	16CV03315
4	<i>John Jerman v. VWGoA</i>	16CV03313
5	<i>Sherill Jerman v. VWGoA</i>	16CV03314
6	<i>Guy Auker v. VWGoA</i>	16CV03311

7 2. Any other actions now pending or hereafter filed in or transferred to this Court
8 which arise out of similar facts as those alleged in the above-identified cases, shall be
9 consolidated with the consolidated actions for discovery and pretrial purposes if and when they
10 are drawn to the Court's attention.

11 3. Every pleading filed in the consolidated actions shall bear the following caption:

12 IN THE CIRCUIT COURT OF THE STATE OF OREGON
13 FOR THE COUNTY OF MULTNOMAH

14	DANNY ANKROM and ANNE ANKROM,
15	Plaintiffs,
16	v.
17	VOLKSWAGEN GROUP OF AMERICA,
18	INC., a New Jersey corporation,
19	Defendant.

Lead Case No. 16CV01087

20 4. The files of these consolidated actions shall be maintained in one file under Case
21 No. 16CV01087, and any papers to be filed after the entry of this Order need only be filed in
22 Case No. 16CV01087.

23 5. All papers filed in any of the consolidated actions prior to the entry of this Order
24 shall be deemed part of the record in Case No. 16CV01087.

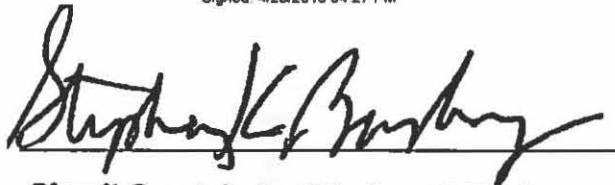
25 6. Plaintiffs Danny Ankrom and Anne Ankrom shall serve as Lead Plaintiffs.

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1 7. A copy of this Order shall be filed in all of the actions referenced herein.

2 IT IS HEREBY ORDERED.

Signed: 4/20/2016 04:27 PM

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Circuit Court Judge Stephen K. Bushong

9 IT IS SO STIPULATED by and between the following:

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